

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

ONOFRE RIOS AND ELVA RIOS

Plaintiffs,

v.

**WELLINGTON INSURANCE
COMPANY**

Defendants

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**CIVIL ACTION NO. 7:15-cv-00550
JURY DEMANDED**

AGREED STIPULATION OF DISMISSAL FOR PLAINTIFFS

Plaintiffs, Onofre Rios and Elva Rios; Defendant, Wellington Insurance Company; and Defendant/Intervenor, CastlePoint National Insurance Company; file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

1. Plaintiffs are Onofre Rios and Elva Rios, Defendant is Wellington Insurance Company, and Defendant/Intervenor is CastlePoint National Insurance Company.
2. On November 10, 2015, Plaintiffs sued Defendant in the District Court of Hidalgo County, Texas, Cause No. C-5596-15-G. On December 22, 2015 Wellington Insurance Company filed its Original Answer. Defendant/Intervenor, CastlePoint National Insurance Company, filed its Original Petition in Intervention on December 22, 2015. On December 22, 2015, CastlePoint National Insurance Company filed its Notice of Removal.
3. On or about March 2, 2016, the parties settled this case. As a result of this settlement, all issues in the above-styled and numbered litigation have been fully and finally settled. Plaintiffs now move to dismiss the suit against All Defendants, and Intervenor.
4. Defendants and Intervenor agree to the dismissal.
5. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.
6. A receiver has not been appointed in this case.
7. This case is not governed by any federal statute that requires a court order for dismissal of the case.
8. Plaintiffs have not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.

9. This dismissal is with prejudice.

Respectfully submitted

By: /s/Thomas F. Nye

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**COUNSEL FOR PLAINTIFFS,
ONOFRE RIOS AND ELVA RIOS**
**Signed with permission*

CERTIFICATE OF SERVICE

I certify that on March 31, 2016, a copy of the parties' Agreed Stipulation of Dismissal was *electronically filed* on the CM/ECF system, and will be served on the following attorney in charge for Plaintiffs, Onofre Rios and Elva Rios, via electronic filing or regular mail:

Attorney for Plaintiff
Timothy M. Hoch
Hoch Law Firm, P.C.
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VIA E-FILING

/s/Thomas F. Nye
Thomas F. Nye